

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

IN RE: AMERICAN MEDICAL SYSTEMS, INC.,  
PELVIC REPAIR SYSTEM PRODUCTS  
LIABILITY LITIGATION

MDL No. 2325  
Honorable Joseph R. Goodwin

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Lisa Kahana and David Kahana

**Plaintiff(s),**

v.

**CASE NO.** 2:13-cv-19786

American Medical Systems, Inc. et al

**Defendant(s).**

**MOTION TO TRANSFER MDL**

**COME NOW** the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2325, In re: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation, to:

MDL 2327 Ethicon, Inc., Pelvic Repair System Products Liability Litigation.

Plaintiff(s) herein filed a Complaint or Short Form Complaint in MDL 2325 against American Medical Systems, Inc., and others. Plaintiff(s) later filed an Amended Short Form Complaint that no longer included American Medical Systems, Inc. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2327 :

Ethicon, Inc., Ethicon, LLC and Johnson & Johnson

Because American Medical Systems, Inc. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court: 1) **GRANT** the Plaintiff(s) motion to transfer this civil action from MDL 2325 to 2327 ; and 2) direct the Clerk to disassociate this civil action as a member case in MDL 2325 and re-associate it with MDL 2327 .

/s/ Robert J. Fenstersheib

Robert J. Fenstersheib, Esquire  
Florida Bar No. 307300  
Law Offices of Robert J.  
Fenstersheib & Associates, P.A.  
520 W. Hallandale Beach Blvd.  
Hallandale Beach, FL 33009

#### **CERTIFICATE OF SERVICE**

I hereby certify that on 8/9/2013 , I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

/s/ Robert J. Fenstersheib

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Florida Bar No. 307300  
Law Offices of Robert J.  
Fenstersheib & Associates, P.A.  
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Hallandale Beach, FL 33009